

UNITED STATES DISTRICT COURT

Northern District of Alabama

~~RE~~ Office of the Clerk

Room 140, 1729 5th Avenue North

Birmingham, Alabama 35203

(205) 731-1700

Sharon N. Harris
Clerk

DEBRA P. HACKETT, CLERK
U.S. DISTRICT COURT
MIDDLE DISTRICT ALA

November 13, 2007

Attn: Debra P. Hackett
Clerk, United States District Court
Middle District of Alabama
United States Courthouse Complex
P.O. Box 711
Montgomery, AL 36101-0711

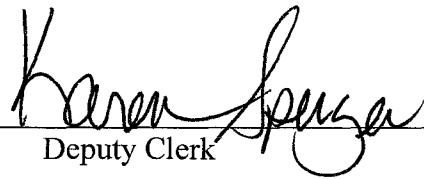
Case Number: 7:05-cv-305-TMP

Dear Clerk:

In accordance with the order of severance and transfer of this court entered 10/31/2007, four plaintiff's are severed and the claims are transferred to your court for further proceedings. Enclosed is a certified copy of the order of severance and transfer, docket entries and a copy of the file in pdf format on a cd sent to you by mail. Please acknowledge receipt on the attached copy of this letter.

Sincerely,

SHARON N. HARRIS, CLERK

By: 
Deputy Clerk

SNH:ksp

CONMAG, PROTECTIVE ORDER

**U.S. District Court
Northern District of Alabama (Western)
CIVIL DOCKET FOR CASE #: 7:05-cv-00305-TMP
Internal Use Only**

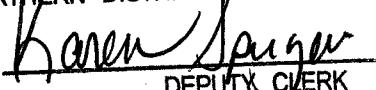
Sturdivant, et al. v. Dillard's, Inc
Assigned to: US Magistrate Judge T Michael
Putnam
Cause: 42:1981 Civil Rights

Date Filed: 02/08/2005
Jury Demand: Plaintiff
Nature of Suit: 440 Civil Rights:
Other
Jurisdiction: Federal Question

Plaintiff

Debbie Deavers Sturdivant
TERMINATED: 09/27/2007

represented by **Patrick C Cooper**
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LEAD ATTORNEY
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A TRUE COPY
SHARON N. HARRIS, CLERK
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA
BY: 
DEPUTY CLERK

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Plaintiff

Vaughn Thomas
TERMINATED: 10/31/2007

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Plaintiff

Patricia Mallory
TERMINATED: 10/31/2007

represented by **Jessica S Grover**
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Plaintiff

Artis Smith
TERMINATED: 09/27/2007

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Plaintiff

Hollis Casey

TERMINATED: 10/31/2007

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Plaintiff

Lessie Harris

TERMINATED: 09/27/2007

represented by **Jessica S Grover**

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Plaintiff

Sandra Moody represented by **Jessica S Grover**
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Plaintiff

Vanessa Jones
TERMINATED: 10/31/2007

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V.

Defendant

Dillard's, Inc

represented by **A Craig Cleland**
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Defendant

J.B. White & Company
TERMINATED: 02/21/2007

represented by **Brian R Bostick**
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Timothy A Palmer
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Veronica L Merritt
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ATTORNEY TO BE NOTICED

Defendant

Mercantile Kansas City, Inc
TERMINATED: 02/21/2007

represented by **Brian R Bostick**
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Timothy A Palmer
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Veronica L Merritt
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

McAlpin Company, The
TERMINATED: 02/21/2007

represented by **Brian R Bostick**
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Timothy A Palmer
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Veronica L Merritt
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

**Gayfer's Montgomery Fair
Company**
TERMINATED: 02/21/2007

represented by **Brian R Bostick**
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Timothy A Palmer
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Veronica L Merritt
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Defendant

Mercantile Stores Company, Inc
TERMINATED: 02/21/2007

Brian R Bostick
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Timothy A Palmer
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Veronica L Merritt
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Defendant

Castner-Knott Dry Goods Company, The
TERMINATED: 02/21/2007

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Timothy A Palmer
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Veronica L Merritt
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Defendant

J. Bacon & Sons
TERMINATED: 02/21/2007

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Timothy A Palmer
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Defendant

C.J. Gayfer & Company
TERMINATED: 02/21/2007

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Date Filed	#	Docket Text
02/08/2005	•1	COMPLAINT against Dillard's, Inc (Filing fee \$ 250. receipt # 200 212311), filed by Debbie Deavers Sturvisant.(SFH,) (Entered: 02/09/2005)
02/08/2005	•2	Request for service by certified mail filed by Debbie Deavers Sturvisant. (SFH,) (Entered: 02/09/2005)
02/09/2005	•	Summons Issued mailed certified mail as to Dillard's, Inc. (SFH,) (Entered: 02/09/2005)
02/15/2005	•3	AMENDED COMPLAINT against Dillard's, Inc, filed by Debbie Deavers Sturvisant.(Badham, W) (Entered: 02/15/2005)
03/03/2005	•4	ANSWER to Amended Complaint by Dillard's, Inc.(Bostick, Brian) (Entered: 03/03/2005)
04/14/2005	•5	REPORT of Rule 26(f) Planning Meeting. (Bostick, Brian) (Entered: 04/14/2005)
04/19/2005	•	Rule 16 Scheduling Conference set for Wednesday, 5/4/2005, at 10:00 AM before US Magistrate Judge T Michael Putnam in

		chambers. Signed by Judge T Michael Putnam on 4-19-05. (SMB) (Entered: 04/19/2005)
04/19/2005	● 5	Set Deadlines/Hearings: Scheduling Conference set for 5/4/2005 10:00 AM in chambers, before US Magistrate Judge T Michael Putnam. (SFH,) (Entered: 04/19/2005)
04/25/2005	● 6	NOTICE of Appearance by Randall S Haynes on behalf of Debbie Deavers Sturvisant (Haynes, Randall) (Entered: 04/25/2005)
05/03/2005	● 7	NOTICE by Debbie Deavers Sturvisant of <i>Initial Disclosures Pursuant to Fed.R.Civ.P. 26</i> (Cooper, Patrick) (Entered: 05/03/2005)
05/04/2005	● 8	Minute Entry for proceedings held before Judge T Michael Putnam : Scheduling Conference held on 5/4/2005-Court's preliminary remarks-Counsel's statements-WRITTEN SCHEDULING ORDER to be entered by the Court. (Court Reporter, None.) (RLD) (Entered: 05/04/2005)
05/04/2005	● 8	SCHEDULING ORDER: Certain time limits and ddls apply as set out in this order Discovery due by 3/15/2006. Dispositive Motions due by 4/15/2006. Parties are DIRECTED to confer and notify the court jointly in writing by 6/1/05, whether all parties consent to the exercise of final dispositive jurisdiction by the magistrate; Class Certification Hearing set for 9/26/05 in courtroom 2A, US Courthouse, B'ham, AL Signed by Judge T Michael Putnam on 5/4/05. (SFH,) (Entered: 05/04/2005)
05/16/2005	● 9	AMENDED SCHEDULING ORDER: The Scheduling Order entered May 4, 2005, is AMENDED to extend the time for filing of plaintiff's formal motion for certification of a class of plaintiffs. Such motion shall be filed by no later than 8/15/2005. In all other respects, the scheduling order entered May 4, 2005, is unchanged. Signed by Judge T Michael Putnam on 5-16-05. (SMB) (Entered: 05/16/2005)
06/01/2005	● 9	NOTICE by Debbie Deavers Sturvisant, Dillard's, Inc <i>Joint Notification of Consent to Final Dispositive Jurisdiction by Magistrate Judge</i> (Palmer, Timothy) (Entered: 06/01/2005)
07/21/2005	10	Joint MOTION to Continue by Dillard's, Inc. (Bostick, Brian) (Entered: 07/21/2005)
07/26/2005	● 11	STIPULATION and <i>Protective Order Governing the Treatment of Discovery Material</i> by Dillard's, Inc. (Bostick,

		Brian) (Entered: 07/26/2005)
07/28/2005	● 12	NOTICE by Debbie Deavers Sturvisant of <i>Serving Discovery</i> (Cooper, Patrick) (Entered: 07/28/2005)
07/29/2005	● 13	AMENDED SCHEDULING ORDER: Discovery due by 7/15/2006. Dispositive Motions due by 8/15/2006. PLA shall file a formal motion for certification of a class of plas by 12/15/05; Class Certification Hearing set for 1/23/06 in Courtroom 2A, Hugo Black Courthouse, B'ham, AL. Signed by Judge T Michael Putnam on 7/29/05. (SFH,) (Entered: 07/29/2005)
08/02/2005	●	ORDER granting <u>10</u> Motion to Continue; plaintiff may file a motion for class certification by no later than 12/15/2005; the class certification hearing is CONTINUED and reset for 9:00 a.m. on 2/6/2006. Signed by Judge T Michael Putnam on 8/2/2005. (Putnam, T) (Entered: 08/02/2005)
08/02/2005	●	PROTECTIVE ORDER -- the Stipulated Protective Order filed by the parties on 7/26/2005, is hereby GRANTED and ADOPTED by the court. Signed by Judge T Michael Putnam on 8/2/2005. (Putnam, T) (Entered: 08/02/2005)
08/04/2005	● 14	NOTICE by Debbie Deavers Sturvisant of <i>Serving Discovery</i> (Cooper, Patrick) (Entered: 08/04/2005)
08/18/2005	● 15	MOTION for Leave to File <i>Second Amended Complaint</i> by Debbie Deavers Sturvisant. (Attachments: # <u>1</u> Exhibit Propose 2nd Amended Complaint)(Cooper, Patrick) (Entered: 08/18/2005)
08/23/2005	●	ORDER granting <u>15</u> Motion for Leave to File Second Amended Complaint. Signed by Judge T Michael Putnam on 8-23-05. (SMB) (Entered: 08/23/2005)
08/23/2005	● 16	AMENDED COMPLAINT <i>2nd Amended</i> against Dillard's, Inc, filed by Debbie Deavers Sturvisant.(Cooper, Patrick) (Entered: 08/23/2005)
08/23/2005	●	(Court only) ***Party Vaughn Thomas, and Patricia Mallory, and Artis Smith, and Hollis Casey, and Lessie Harris, and Sandra Moody, and Vanessa Jones added. (KSS,) (Entered: 09/27/2007)
09/06/2005	● 17	ANSWER to Amended Complaint <i>Second Amended Complaint</i> by Dillard's, Inc.(Palmer, Timothy) (Entered:

		09/06/2005)
09/13/2005	●18	MOTION for Summary Judgment <i>as to Claims Asserted by Plaintiff Vaughan Thomas and Memorandum of Law in Support</i> by Dillard's, Inc. (Attachments: # <u>1</u> Exhibit A# <u>2</u> Exhibit B)(Bostick, Brian) (Entered: 09/13/2005)
09/14/2005	●19	ORDER- Any evidentiary material and brief pla intends to file in opposition to dft's motion for summary judgment must be filed electronically by 10/4/05; reply brief of the movant must be filed electronically by 10/14/05; Parties are reminded that they may consent to the jurisdiction of the magistrate judge by filing a joint notice of consent. Signed by Judge T Michael Putnam on 9/14/05. (SFH,) (Entered: 09/14/2005)
10/04/2005	●20	RESPONSE in Opposition re <u>18</u> MOTION for Summary Judgment <i>as to Claims Asserted by Plaintiff Vaughan Thomas and Memorandum of Law in Support</i> filed by Debbie Deavers Sturvisant. (Cooper, Patrick) (Entered: 10/04/2005)
10/14/2005	●21	MOTION to Compel by Debbie Deavers Sturvisant. (Cooper, Patrick) (Entered: 10/14/2005)
10/14/2005	●22	<i>Brief Plaintiffs' Memorandum In Support of Their Motion To Compel.</i> (Attachments: # <u>1</u> Exhibit A# <u>2</u> Exhibit B# <u>3</u> Exhibit C# <u>4</u> Exhibit D# <u>5</u> Exhibit E# <u>6</u> Exhibit F# <u>7</u> Exhibit G# <u>8</u> Exhibit H# <u>9</u> Exhibit I# <u>10</u> Exhibit J# <u>11</u> Exhibit K# <u>12</u> Exhibit L# <u>13</u> Exhibit M# <u>14</u> Exhibit N# <u>15</u> Exhibit O# <u>16</u> Exhibit P)(Cooper, Patrick) (Entered: 10/14/2005)
10/14/2005	●23	Amendment to Motion to motion to Compel by Debbie Deavers Sturvisant. (Cooper, Patrick) Modified on 10/17/2005 (MAA,). (Entered: 10/14/2005)
10/14/2005	●24	<i>Brief Defendant's Reply to Plaintiff's Opposition to Defendant's Motion for Summary Judgment against Vaughn Thomas.</i> (Bostick, Brian) (Entered: 10/14/2005)
10/17/2005	●25	MOTION for Protective Order <i>Regarding Plaintiffs Depositions Noticed for October</i> by Dillard's, Inc. (Attachments: # <u>1</u> Exhibit to Motion for Protective Order) (Bostick, Brian) (Entered: 10/17/2005)
10/18/2005	●26	ORDER -Motion for protective order GRANTED in part and DENIED in part as set out; Hearing set for Thursday, 10/27/05 in Courtroom 2A re <u>21</u> MOTION to Compel filed by Debbie Deavers Sturvisant, Motions terminated: <u>25</u> MOTION for

		Protective Order - Hearing Out of Jury Presence set for 10/27/2005 02:00 PM before US Magistrate Judge T Michael Putnam.. Signed by Judge T Michael Putnam on 10/18/05. (MAA,) (Entered: 10/18/2005)
10/20/2005	●27	MOTION for Sanctions by Debbie Deavers Sturvisant. (Attachments: # <u>1</u> Exhibit A# <u>2</u> Exhibit B)(Cooper, Patrick) (Entered: 10/20/2005)
10/24/2005	●28	MOTION to Compel by Dillard's, Inc. (Palmer, Timothy) (Entered: 10/24/2005)
10/26/2005	●29	Opposition to <i>Plaintiffs' Motion to Compel and Motion for Sanctions and Defendant's Motion for Protective Order From Abusive Discovery</i> filed by Dillard's, Inc. (Attachments: # <u>1</u> Exhibit A# <u>2</u> Exhibit B# <u>3</u> Exhibit C# <u>4</u> Exhibit D# <u>5</u> Exhibit E# <u>6</u> Exhibit F)(Palmer, Timothy) (Entered: 10/26/2005)
10/27/2005	●30	NOTICE by Dillard's, Inc <i>Notice of Filing Discovery Responses</i> (Attachments: # <u>1</u> Exhibit Defendant's Response to Plaintiff's 1st Request for Production# <u>2</u> Exhibit Defendant's Response to Plaintiffs' Second Request for Production# <u>3</u> Exhibit Defendant's Response to Plaintiffs' 3rd Request for Production)(Palmer, Timothy) (Entered: 10/27/2005)
10/27/2005	●	Minute Entry for proceedings held before Judge T Michael Putnam : Motion Hearing held on 10/27/2005 re <u>21</u> MOTION to Compel filed by Debbie Deavers Sturvisant,, <u>27</u> MOTION for Sanctions filed by Debbie Deavers Sturvisant,, <u>28</u> MOTION to Compel filed by Dillard's, Inc,-Court's preliminary remarks-Counsel's arguments-WRITTEN ORDER to be entered by the Court. (Court Reporter, Leah Turner.) (RLD) (Entered: 10/27/2005)
11/10/2005	●31	ORDER granting in part and denying in part <u>21</u> Motion to Compel, denying <u>27</u> Motion for Sanctions, granting in part and denying in part <u>28</u> Motion to Compel. Signed by Judge T Michael Putnam on 11/10/2005. (Putnam, T) (Entered: 11/10/2005)
11/30/2005	●32	MOTION for Leave to File <i>Third Amended Complaint</i> by Debbie Deavers Sturvisant. (Attachments: # <u>1</u> Exhibit A) (Cooper, Patrick) (Entered: 11/30/2005)
12/05/2005	●	ORDER that the defendant is allowed ten (10) days from this date to file a response to the plaintiffs' motion for leave to file

		third amended complaint. Signed by Judge T Michael Putnam on 12-05-05. (SMB) (Entered: 12/05/2005)
12/12/2005	•33	RESPONSE to Discovery Request by Debbie Deavers Sturvisant.(Cooper, Patrick) (Entered: 12/12/2005)
12/12/2005	•34	RESPONSE to <i>Plaintiffs Discovery Requests (Supplemented)</i> filed by Dillard's, Inc. (Attachments: # <u>1</u> Exhibit A, B, C, & D to Supplemental and Consolidated Discovery Responses) (Palmer, Timothy) (Entered: 12/12/2005)
12/13/2005	•35	ANSWER to Interrogatories by Debbie Deavers Sturvisant. (Cooper, Patrick) (Entered: 12/13/2005)
12/13/2005	•36	RESPONSE to Discovery Request by Debbie Deavers Sturvisant.(Cooper, Patrick) (Entered: 12/13/2005)
12/15/2005	•37	MOTION to Certify Class [<i>Motion for Class Certification</i>] by Debbie Deavers Sturvisant. (Cooper, Patrick) (Entered: 12/15/2005)
12/15/2005	•38	<i>Brief in Support of Plaintiff's Motion for Class Certification</i> filed by Debbie Deavers Sturvisant. (Attachments: # <u>1</u> Exhibit 1-17# <u>2</u> Exhibit 8-13# <u>3</u> Exhibit 14-20# <u>4</u> Exhibit 21-31# <u>5</u> Exhibit 32-35# <u>6</u> Exhibit 36-39)(Cooper, Patrick) (Entered: 12/15/2005)
12/22/2005	•39	NOTICE of Appearance by Veronica L Merritt on behalf of Dillard's, Inc (Merritt, Veronica) (Entered: 12/22/2005)
01/06/2006	•	ORDER granting <u>32</u> Motion for Leave to File third amended complaint. Signed by Judge T Michael Putnam on 1/6/2006. (PMA,) (Entered: 01/06/2006)
01/11/2006	•40	MOTION to Continue <i>Class Certification Hearing</i> by Dillard's, Inc. (Merritt, Veronica) (Entered: 01/11/2006)
01/13/2006	•	ORDER re <u>40</u> MOTION to Continue Class Certification Hearing filed by Dillard's, Inc. Plaintiffs may respond to the motion by no later than Thursday, January 19, 2006. Signed by Judge T Michael Putnam on 1/13/2006. (Putnam, T) (Entered: 01/13/2006)
01/13/2006	•41	AMENDED COMPLAINT (<i>Third Amended Complaint</i>) against all defendants, filed by Debbie Deavers Sturvisant. (Cooper, Patrick) (Entered: 01/13/2006)
01/18/2006	•42	Opposition to <i>Dillard's Motion To Continue Class</i>

		<i>Certification Hearing</i> filed by Debbie Deavers Sturvisant. (Attachments: # <u>1</u> Exhibit A)(Cooper, Patrick) (Entered: 01/18/2006)
01/19/2006	• <u>43</u>	REPLY to Response to Motion re <u>40</u> MOTION to Continue <i>Class Certification Hearing</i> filed by Dillard's, Inc. (Merritt, Veronica) (Entered: 01/19/2006)
01/23/2006	•	ORDER setting motion hearing for 2:00 p.m. on Friday, January 27, in Courtroom 2A on <u>40</u> Motion to Continue. Signed by Judge T Michael Putnam on 1/23/2006. (PMA,) (Entered: 01/23/2006)
01/26/2006	• <u>44</u>	MOTION for Leave to Appear Pro Hac Vice by Dillard's, Inc. (Attachments: # <u>1</u>)(Merritt, Veronica) (Entered: 01/26/2006)
01/26/2006	•	ORDER granting <u>44</u> Motion for Leave to Appear pending payment of fee . Signed by Judge T Michael Putnam on 1-26-06. (SMB) (Entered: 01/26/2006)
01/27/2006	• <u>45</u>	MOTION for Sanctions by Debbie Deavers Sturvisant. (Attachments: # <u>1</u> Exhibit a# <u>2</u> Exhibit B# <u>3</u> Exhibit C# <u>4</u> Exhibit D# <u>5</u> Exhibit E)(Cooper, Patrick) (Entered: 01/27/2006)
01/27/2006	•	Minute Entry for proceedings held before Judge T Michael Putnam : Motion Hearing held on 1/27/2006 re <u>40</u> MOTION to Continue <i>Class Certification Hearing</i> filed by Dillard's, Inc.- Court's preliminary remarks-Counsel's arguments-WRITTEN ORDER to be entered by the Court. (Court Reporter, Teresa Roberson.) (RLD) (Entered: 01/27/2006)
01/27/2006	•	PHV Fee paid: for Craig Cleland \$ 50.00, receipt number 200222699 (SFH,) (Entered: 01/27/2006)
01/27/2006	• <u>46</u>	ORDER granting <u>40</u> Motion to Continue. The hearing on pla's motion for class certification previously set for 2/6/06, is CONTINUED to 4/12/06 in courtroom 2A, Hugo L Black US Courthouse, B'ham, AL. Signed by Judge T Michael Putnam on 1/27/06. (SFH,) (Entered: 01/27/2006)
01/27/2006	•	Set/Reset Deadlines as to doc <u>40</u> Motion Hearing set for 4/12/2006 in Courtroom 2A, Hugo L Black US Courthouse, B'ham, AL before US Magistrate Judge T Michael Putnam. (SFH,) (Entered: 01/27/2006)
01/30/2006	• <u>47</u>	ANSWER to Amended Complaint (<i>Third Amended</i>

		<i>Complaint</i>) by Dillard's, Inc.(Bostick, Brian) (Entered: 01/30/2006)
01/31/2006	•48	Request for service by certified mail filed by Debbie Deavers Sturvisant. (Cooper, Patrick) (Entered: 01/31/2006)
01/31/2006		(Court only) ***Party J.B. White & Company, and Mercantile Kansas City, Inc, and McAlpin Company, The, and Gayfer's Montgomery Fair Company, and Mercantile Stores Company, Inc, and Castner-Knott Dry Goods Company, The, and J. Bacon & Sons, and C.J. Gayfer & Company added. (SFH,) (Entered: 01/31/2006)
01/31/2006	•	Summons Issued mailed certified mail as to J.B. White & Company, Mercantile Kansas City, Inc, McAlpin Company, The, Gayfer's Montgomery Fair Company, Mercantile Stores Company, Inc, Castner-Knott Dry Goods Company, The, J. Bacon & Sons, C.J. Gayfer & Company. (SFH,) (Entered: 01/31/2006)
02/01/2006	•49	NOTICE by Dillard's, Inc <i>Notice of Proceeding</i> (Attachments: # 1 Exhibit Answer to Third Amended Complaint)(Bostick, Brian) (Entered: 02/01/2006)
02/03/2006	•50	Opposition to <i>Motion for Sanctions</i> filed by Dillard's, Inc. (Palmer, Timothy) (Entered: 02/03/2006)
02/06/2006	•52	Summons Returned Unexecuted as to J.B. White & Company. (CT Corporation is not a registered agent) (SFH,) (Entered: 02/07/2006)
02/07/2006	•	ORDER setting deadline of Tuesday, February 14, 2006, for defendants to file any response to <u>45</u> Motion for Sanctions. Signed by Judge T Michael Putnam on 2/7/2006. (PMA,) (Entered: 02/07/2006)
02/07/2006	•51	REPLY to <i>Plaintiffs' Reply Memorandum In Support Of Motion For Sanctions</i> filed by Debbie Deavers Sturvisant. (Cooper, Patrick) (Entered: 02/07/2006)
02/08/2006	•53	MOTION for Extension of Time <i>For Rule 26 Reports</i> by Debbie Deavers Sturvisant. (Cooper, Patrick) (Entered: 02/08/2006)
02/13/2006	•54	RESPONSE in Opposition re <u>53</u> MOTION for Extension of Time <i>For Rule 26 Reports</i> filed by Dillard's, Inc. (Merritt, Veronica) (Entered: 02/13/2006)

02/17/2006	• 53	ORDER granting <u>53</u> Motion for Extension of Time. Plaintiffs' motion is granted, and the deadline for Rule 26 reports is extended by ten (10) days for all parties. In addition, the defendant is given a 10-day extension on the deadline for filing the opposition to the motion for class certification, as requested in defendant's response. Signed by Judge T Michael Putnam on 2/17/2006. (PMA,) (Entered: 02/17/2006)
02/21/2006	• 55	ANSWER to Amended Complaint (<i>Third Amended Complaint</i>) by C.J. Gayfer & Company.(Bostick, Brian) (Entered: 02/21/2006)
02/21/2006	• 56	ANSWER to Amended Complaint (<i>Third Amended Complaint</i>) by Mercantile Kansas City, Inc.(Bostick, Brian) (Entered: 02/21/2006)
02/21/2006	• 57	ANSWER to Amended Complaint (<i>Third Amended Complaint</i>) by Gayfer's Montgomery Fair Company.(Bostick, Brian) (Entered: 02/21/2006)
02/22/2006	• 58	ORDER - The parties are DIRECTED to confer and notify the court within (10) days of the date this order is entered whether they believe that the instant case should be treated as a consent case, or whether they believe the case is a non-consent case which ultimately must be reassigned to a district judge.. Signed by Judge T Michael Putnam on 2/22/06. (SFH,) (Entered: 02/22/2006)
02/22/2006	• 59	ANSWER to Amended Complaint (<i>Third Amended Complaint</i>) by McAlpin Company, The.(Bostick, Brian) (Entered: 02/22/2006)
02/22/2006	• 60	ANSWER to Amended Complaint (<i>Third Amended Complaint</i>) by Castner-Knott Dry Goods Company, The. (Bostick, Brian) (Entered: 02/22/2006)
02/22/2006	• 61	ANSWER to Amended Complaint (<i>Third Amended Complaint</i>) by Mercantile Stores Company, Inc.(Bostick, Brian) (Entered: 02/22/2006)
02/22/2006	• 62	ANSWER to Amended Complaint (<i>Third Amended Complaint</i>) by J. Bacon & Sons.(Bostick, Brian) (Entered: 02/22/2006)
02/22/2006	• 63	ACCEPTANCE AND WAIVER by Attorney General, The (SFH,) (Entered: 02/22/2006)

02/22/2006	• <u>64</u>	AMENDED ANSWER to <i>Third Amended Complaint</i> by Mercantile Stores Company, Inc. (Bostick, Brian) (Entered: 02/22/2006)
02/22/2006	• <u>65</u>	AMENDED ANSWER to <i>Third Amended Complaint</i> by J. Bacon & Sons. (Bostick, Brian) (Entered: 02/22/2006)
02/22/2006	• <u>66</u>	AMENDED ANSWER to <i>Third Amended Complaint</i> by McAlpin Company, The. (Bostick, Brian) (Entered: 02/22/2006)
02/23/2006	• <u>67</u>	NOTICE by Debbie Deavers Sturdivant <i>of Serving Discovery</i> (Cooper, Patrick) (Entered: 02/23/2006)
02/27/2006	• <u>68</u>	MOTION to Compel by Debbie Deavers Sturdivant. (Attachments: # <u>1</u> Exhibit A# <u>2</u> Exhibit B# <u>3</u> Exhibit C# <u>4</u> Exhibit D# <u>5</u> Exhibit E# <u>6</u> Exhibit F# <u>7</u> Exhibit G# <u>8</u> Exhibit H)(Cooper, Patrick) (Entered: 02/27/2006)
03/01/2006	•	ORDER that the defendant has ten (10) days to file a response to the plaintiff's motion to compel (Doc. #68). Signed by Judge T Michael Putnam on 3-1-06. (SMB) (Entered: 03/01/2006)
03/06/2006	• <u>69</u>	NOTICE by J.B. White & Company, Mercantile Kansas City, Inc, McAlpin Company, The, Gayfer's Montgomery Fair Company, Mercantile Stores Company, Inc, J. Bacon & Sons, Debbie Deavers Sturdivant, Dillard's, Inc <i>JOINT NOTIFICATION OF CONSENT TO FINAL DISPOSITIVE JURISDICTION BY MAGISTRATE JUDGE</i> (Cooper, Patrick) (Entered: 03/06/2006)
03/15/2006	• <u>70</u>	RESPONSE to re <u>68 Motion to Compel</u> filed by Dillard's, Inc. (Attachments: # <u>1</u>)(Merritt, Veronica) (Entered: 03/15/2006)
03/20/2006	• <u>71</u>	Evidentiary Material <i>of Defendant in Support of Its Brief in Opposition to Plaintiffs' Motion for Class Certification (Volume I)</i> . (Attachments: # <u>1</u> Tab 1 - Deposition of Wesley Roden# <u>2</u> Tab 2 - Deposition of Aromanita Miliner# <u>3</u> Tab 3 - Deposition of Kristy Jackson# <u>4</u> Tab 4 - Deposition of Patricia Lewis# <u>5</u> Tab 5 - Deposition of Debbie Sturdivant and exhibits# <u>6</u> Tab 6 - Deposition of Vaughn Thomas# <u>7</u> Tab 6a - Exhibits to the deposition of Vaughn Thomas)(Palmer, Timothy) (Entered: 03/20/2006)
03/20/2006	• <u>72</u>	Evidentiary Material <i>of Defendant in Support of Its Brief in Opposition to Plaintiffs' Motion for Class Certification (Volume II)</i> . (Attachments: # <u>1</u> Tab 7 - Deposition of Patricia

		Mallory and exhibits# <u>2</u> Tab 8 - Deposition of Artis Smith# <u>3</u> Tab 9 - Deposition of Hollis Casey and exhibits# <u>4</u> Tab 10 - Deposition of Lessie Harris and exhibits# <u>5</u> Tab 11 - Deposition of Sandra Moody (pp 1-160)# <u>6</u> Tab 11a - Deposition of Sandra Moody (pp. 161-235)# <u>7</u> Tab 11b - Exhibits to the deposition of Sandra Moody# <u>8</u> Tab 12 - Deposition of Vanessa Jones and exhibits)(Palmer, Timothy) (Entered: 03/20/2006)
03/20/2006	●73	Evidentiary Material of Defendant in Support of Its Brief in Opposition to Plaintiffs' Motion for Class Certification (Volume III). (Attachments: # <u>1</u> Tab 13 - Declaration of Stacy Rae Barnes Abunaemeh# <u>2</u> Tab 14 - Declaration of Wyona Alexander and exhibits - FILED UNDER SEAL# <u>3</u> Tab 15 - Declaration of Adrian Melissa Kasey Anglin# <u>4</u> Tab 16 - Declaration of Tabitha Melissa Baker and exhibits - FILED UNDER SEAL# <u>5</u> Tab 17 - Declaration of Melissa Barker# <u>6</u> Tab 18 - Declaration of Linda Gail Bennett# <u>7</u> Tab 19 - Declaration of Ginger Ann Brooks# <u>8</u> Tab 20 - Declaration of Wendy Carlisle# <u>9</u> Tab 21 - Declaration of Barbara H. Davidson# <u>10</u> Tab 22 - Declaration of Gladys Davis# <u>11</u> Tab 23 - Declaration of Timothy Davis# <u>12</u> Tab 24 - Declaration of Karl Ederer and exhibits# <u>13</u> Tab 25 - Declaration of Cynthia Ellison# <u>14</u> Tab 26 - Declaration of PJ Fowler# <u>15</u> Tab 27 - Declaration of Portia Garner and exhibit - FILED UNDER SEAL# <u>16</u> Tab 28 - Declaration of Mark Christopher George# <u>17</u> Tab 29 - Declaration of Patricia Gibson# <u>18</u> Tab 30 - Declaration of Debra Holman)(Palmer, Timothy) (Entered: 03/20/2006)
03/20/2006	●74	Evidentiary Material of Defendant in Support of Its Brief in Opposition to Plaintiffs' Motion for Class Certification (Volume IV). (Attachments: # <u>1</u> Tab 31 - Declaration of Sheila Holmes# <u>2</u> Tab 32 - Declaration of Carmen Carolina Hurtado# <u>3</u> Tab 33 - Declaration of Kelly Amanda Irons - FILED UNDER SEAL# <u>4</u> Tab 34 - Declaration of Lona Faye Lowery# <u>5</u> Tab 35 - Declaration of Brenda Lucas# <u>6</u> Tab 36 - Declaration of Shonda Yvette Newsome# <u>7</u> Tab 37 - Declaration of Valerie Maldonado and exhibits - FILED UNDER SEAL# <u>8</u> Tab 38 - Declaration of Richard O'Shields# <u>9</u> Tab 39 - Declaration of Terri Laurann Patterson# <u>10</u> Tab 40 - Declaration of Shelly Porter# <u>11</u> Tab 41 - Declaration of Patricia Rackley# <u>12</u> Tab 42 - Declaration of Kimberly Renee Rancifer - FILED UNDER SEAL# <u>13</u> Tab 43 - Declaration of

		Robin Rogers# <u>14</u> Tab 44 - Declaration of Melissa June Shrum and exhibits - FILED UNDER SEAL# <u>15</u> Tab 45 - Declaration of Wendy Skipper# <u>16</u> Tab 46 - Declaration of Edna E. Stuckey - FILED UNDER SEAL# <u>17</u> Tab 47 - Declaration of Linda Talley# <u>18</u> Tab 48 - Declaration of Shirley Ann Thomas# <u>19</u> Tab 49 - Declaration of Doretha S. Thompson - FILED UNDER SEAL# <u>20</u> Tab 50 - Declaration of James Allen Thornton# <u>21</u> Tab 51 - Declaration of Brenda Thrower# <u>22</u> Tab 52 - Declaration of Elizabeth Urbach# <u>23</u> Tab 53 - Declaration of Kyla Hammond Warden# <u>24</u> Tab 54 - Declaration of Julia Watt)(Palmer, Timothy) (Entered: 03/20/2006)
03/20/2006	● <u>75</u>	Evidentiary Material of <i>Defendant in Support of Its Brief in Opposition to Plaintiffs' Motion for Class Certification (Volume V)</i> . (Attachments: # <u>1</u> Tab 55 - Declaration of Ed Hamff# <u>2</u> Tab 56 - Declaration of Mort Westman# <u>3</u> Tab 57 - Deposition of Andria Boyd and exhibit# <u>4</u> Tab 58 - Deposition of Susan Ellis and exhibit# <u>5</u> Tab 59 - Deposition of Patricia Rackley# <u>6</u> Tab 60 - Deposition of Cynthia Ellison)(Palmer, Timothy) (Entered: 03/20/2006)
03/20/2006	● <u>76</u>	NOTICE by Dillard's, Inc of <i>Defendants' Rule 26 Identification of Experts</i> (Attachments: # <u>1</u> Tab 1 - Preliminary expert report of Edward Hamff# <u>2</u> Tab 2 - Expert report of Mort Westman# <u>3</u> Tab 3 - Expert report of Patrick Obukowho# <u>4</u> Tab 4 - Preliminary expert report of Mark DiQuattro) (Palmer, Timothy) (Entered: 03/20/2006)
03/20/2006	● <u>77</u>	Brief in <i>Opposition to Plaintiffs' Motion for Class Certification</i> . (Palmer, Timothy) (Entered: 03/20/2006)
03/21/2006	● <u>78</u>	Request for service by certified mail filed by Debbie Deavers Sturdivant. (Cooper, Patrick) (Entered: 03/21/2006)
03/21/2006	● <u>79</u>	ORDER denying <u>45</u> Motion for Sanctions . Signed by Judge T Michael Putnam on 3/21/06. (SFH,) (Entered: 03/21/2006)
03/22/2006	●	Summons Reissued mailed certified mail as to J.B. White & Company. (SFH,) (Entered: 03/22/2006)
03/31/2006	●	ORDER that a Status Conference is set for 4/6/2006 at 2:00 PM before US Magistrate Judge T Michael Putnam in chambers. Signed by Judge T Michael Putnam on 3/31/06. (SMB) (Entered: 03/31/2006)

03/31/2006	• <u>80</u>	NOTICE of Appearance by Sandra B Reiss on behalf of Dillard's, Inc (Reiss, Sandra) (Entered: 03/31/2006)
03/31/2006		(Court only) ***Attorney Sandra B Reiss for Dillard's, Inc added. (SFH,) (Entered: 03/31/2006)
04/04/2006	• <u>81</u>	NOTICE of Appearance by Jessica S Grover on behalf of Debbie Deavers Sturdivant (Grover, Jessica) (Entered: 04/04/2006)
04/05/2006	• <u>82</u>	NOTICE of Appearance by Kemberli L Marks on behalf of Debbie Deavers Sturdivant (Marks, Kemberli) (Entered: 04/05/2006)
04/05/2006	• <u>83</u>	MOTION to Quash <i>Subpoenas</i> by Dillard's, Inc. (Attachments: # <u>1</u> Exhibit A)(Merritt, Veronica) (Entered: 04/05/2006)
04/06/2006	• <u>84</u>	MOTION to Dismiss for Lack of Jurisdiction by McAlpin Company, The, Mercantile Stores Company, Inc, J. Bacon & Sons. (Attachments: # <u>1</u> Exhibit A - Declaration of Nanette Savage)(Bostick, Brian) (Entered: 04/06/2006)
04/06/2006	•	ORDER finding as moot <u>83</u> Motion to Quash. Signed by Judge T Michael Putnam on 4/06/2006. (PMA,) (Entered: 04/06/2006)
04/06/2006	•	Minute Entry for proceedings held before Judge T Michael Putnam : Status Conference held, in Chambers, on 4/6/2006- Court's preliminary remarks-Counsel's statements-Adj. (Court Reporter, None.) (RLD) (Entered: 04/06/2006)
04/10/2006	• <u>85</u>	Witness List by Debbie Deavers Sturdivant. (Cooper, Patrick) (Entered: 04/10/2006)
04/10/2006	• <u>86</u>	<i>Brief Plaintiffs' Reply Memorandum In Support Of Motion For Class Certification.</i> (Attachments: # <u>1</u> Exhibit Exhibit 1# <u>2</u> Exhibit 2# <u>3</u> Exhibit Exhibits 3 through 12# <u>4</u> Exhibit Exhibits 13 through 23)(Cooper, Patrick) (Entered: 04/10/2006)
04/11/2006	•	ORDER setting motion deadline re <u>84</u> Motion to Dismiss for Lack of Jurisdiction - plaintiff is allowed 20 days from this date to file response to the motion to dismiss. Signed by Judge T Michael Putnam on 4-11-06. (SMB) (Entered: 04/11/2006)
04/11/2006	• <u>87</u>	TRANSCRIPT of Proceedings held on January 27, 2006 before Judge T. Michael Putnam. Court Reporter: Teresa Roberson. [Contact court reporter for copy of transcript] (SFH,) (Entered: 04/13/2006)

04/12/2006	●	Minute Entry for proceedings held before Judge T Michael Putnam : Class Certification Hearing held on 4/12/2006- Court's preliminary remarks-Counsel's opening statements- Plff's testimony-Parts of Deposition of Patricia Lewis dictated into the record (pp. 113, 34, 111, 23, 26, 30, 112)-Daily adj. (Court Reporter, Teresa Roberson.) (RLD) (Entered: 04/17/2006)
04/13/2006.	●	Minute Entry for proceedings held before Judge T Michael Putnam : Class Certification Hearing resumed on 4/13/2006- Plff's testimony continuing-Parts of Deposition of Sandra Moody dictated into the record (pp. 183, 33, 124)-Parts of Deposition of Vaughan Thomas dictated into the record (p. 191)-Parts of Deposition of Hollis Casey dictated into the record (pp. 64, 101, 105, 32, 108)-Parts of Deposition of Patricia Mallory dictated into the record (pp. 142, 143)-Daily adj. (Court Reporter, Teresa Roberson.) (RLD) (Entered: 04/17/2006)
04/14/2006	●	Minute Entry for proceedings held before Judge T Michael Putnam : Class Certification Hearing resumed on 4/14/2006- Plff's testimony continuing-Parts of Deposition of Ralph Summerford dictated into the record (pp.69, 70)-Depositions of Artis Smith and Lessie Harris offered by the plff-Plff rests- Daily adj. until Tuesday, April 25, 2006, at 9:00 a.m. (Court Reporter, Teresa Roberson.) (RLD) (Entered: 04/17/2006)
04/21/2006	● <u>88</u>	<i>Brief Plaintiffs' Brief Regarding The Application Of Daubert To Expert Testimony Of Ralph Summerford At Class Certification Hearing</i> filed by Debbie Deavers Sturdvant. (Attachments: # <u>1</u> Exhibit 1# <u>2</u> Exhibit 2# <u>3</u> Exhibit 3# <u>4</u> Exhibit 4)(Cooper, Patrick) (Entered: 04/21/2006)
04/21/2006	● <u>89</u>	MOTION to Strike <i>Motion to Preclude Expert Testimony of Ralph Q. Summerford and Memorandum in Support</i> by J.B. White & Company, Mercantile Kansas City, Inc, McAlpin Company, The, Gayfer's Montgomery Fair Company, Mercantile Stores Company, Inc, Castner-Knott Dry Goods Company, The, J. Bacon & Sons, C.J. Gayfer & Company, Dillard's, Inc. (Attachments: # <u>1</u> Exhibit A# <u>2</u> Exhibit B) (Palmer, Timothy) (Entered: 04/21/2006)
04/25/2006	●	Minute Entry for proceedings held before Judge T Michael Putnam : Class Certification Hearing resumed on 4/25/2006- Dft's testimony-Daily adj. (Court Reporter, Teresa Roberson.)

		(RLD) (Entered: 04/25/2006)
04/26/2006	●	Minute Entry for proceedings held before Judge T Michael Putnam : Class Certification Hearing resumed on 4/26/2006- Dft's testimony continuing-Parts of Deposition of Mort Westman dictated into the record (p.69)-Daily adj. (Court Reporters, Teresa Roberson; Virginia Flowers.) (RLD) (Entered: 04/27/2006)
04/27/2006	● <u>90</u>	MOTION to Strike by J.B. White & Company, Mercantile Kansas City, Inc, McAlpin Company, The, Gayfer's Montgomery Fair Company, Mercantile Stores Company, Inc, Castner-Knott Dry Goods Company, The, J. Bacon & Sons, C.J. Gayfer & Company, Dillard's, Inc. (Attachments: # <u>1</u> Exhibit A# <u>2</u> Exhibit B)(Bostick, Brian) (Entered: 04/27/2006)
04/27/2006	●	Minute Entry for proceedings held before Judge T Michael Putnam : Class Certification Hearing resumed on 4/27/2006- Dft's testimony continuing-Dft rests-Counsel's closing arguments-Court directed that briefs be filed simultaneously by 05/12/06-Any reply briefs to be filed by 05/19/06-Daily adj. (Court Reporter, Teresa Roberson.) (RLD) (Entered: 04/28/2006)
04/28/2006	● <u>91</u>	MOTION for Extension of Time to File Response/Reply TO <i>MOTION TO DISMISS FOR LACK OF PERSONAL JURISDICTION</i> by Debbie Deavers Sturdivant. (Cooper, Patrick) (Entered: 04/28/2006)
05/01/2006	● <u>92</u>	ORDER- The parties are DIRECTED to file any additional argument that may relate to the pending by 5/11/06 re <u>18</u> MOTION for Summary Judgment <i>as to Claims Asserted by Plaintiff Vaughan Thomas and Memorandum of Law in Support</i> filed by Dillard's, Inc, . Signed by Judge T Michael Putnam on 5/1/06. (SFH,) (Entered: 05/01/2006)
05/02/2006	●	ORDER granting <u>91</u> Motion for Extension of Time to File Response/Reply re <u>84</u> MOTION to Dismiss for Lack of Jurisdiction. Responses due by 6/15/2006. Signed by Judge T Michael Putnam on 5/2/2006. (Putnam, T) (Entered: 05/02/2006)
05/09/2006	● <u>93</u>	MOTION to Amend/Correct <i>PLAINTIFFS' MOTION TO AMEND SCHEDULING ORDER</i> by Debbie Deavers Sturdivant. (Attachments: # <u>1</u> Exhibit A# <u>2</u> Exhibit B# <u>3</u> Exhibit C# <u>4</u> Exhibit D# <u>5</u> Exhibit E)(Cooper, Patrick)

		(Entered: 05/09/2006)
05/10/2006	•94	ORDER -In order to give the parties time to review transcripts of the hearing, the ddl to file briefs have been EXTENDED to 5/19/06; Reply briefs are due 5/26/06. Signed by Judge T Michael Putnam on 5/10/06. (SFH,) (Entered: 05/10/2006)
05/11/2006	•95	Opposition to <i>Additional Argument In Opposition To Summary Judgment As To The Claims Asserted By Vaughan Thomas</i> filed by Debbie Deavers Sturdivant. (Attachments: # <u>1</u> Exhibit 1# <u>2</u> Exhibit 2# <u>3</u> Exhibit 3)(Cooper, Patrick) (Entered: 05/11/2006)
05/15/2006	•96	Supplemental MOTION for Summary Judgment <i>in Support of Summary Judgment Against Plaintiff Vaughan Thomas</i> by J.B. White & Company, Mercantile Kansas City, Inc, McAlpin Company, The, Gayfer's Montgomery Fair Company, Mercantile Stores Company, Inc, Castner-Knott Dry Goods Company, The, J. Bacon & Sons, C.J. Gayfer & Company, Dillard's, Inc. (Merritt, Veronica) (Entered: 05/15/2006)
05/19/2006	•97	TRANSCRIPT of Proceedings held on April 26, 2006 before Judge T. Michael Putnam. Court Reporter: Virginia Flowers. [Contact court reporter for copy of transcript] (MAA,) (Entered: 05/19/2006)
05/19/2006	•98	Brief <i>Defendant's Post-Hearing Memorandum</i> . (Palmer, Timothy) (Entered: 05/19/2006)
05/19/2006	•99	Brief <i>Plaintiffs' Post-Hearing Memorandum In Further Support Of Their Motion For Class Certification</i> filed by Debbie Deavers Sturdivant. (Attachments: # <u>1</u> Exhibit a# <u>2</u> Exhibit b# <u>3</u> Exhibit c# <u>4</u> Exhibit d# <u>5</u> Exhibit e# <u>6</u> Exhibit f# <u>7</u> Exhibit g# <u>8</u> Exhibit h# <u>9</u> Exhibit i# <u>10</u> Exhibit j# <u>11</u> Exhibit k# <u>12</u> Exhibit l# <u>13</u> Exhibit m# <u>14</u> Exhibit n# <u>15</u> Exhibit o# <u>16</u> Exhibit p)(Cooper, Patrick) (Entered: 05/19/2006)
05/24/2006	•100	RESPONSE to <i>SUPPLEMENT TO EXHIBITS TO PLAINTIFFS' POST-HEARING MEMORANDUM IN FURTHER SUPPORT OF THEIR MOTION FOR CLASS CERTIFICATION</i> filed by Debbie Deavers Sturdivant. (Attachments: # <u>1</u> Supplement Exhibit B# <u>2</u> Supplement Exhibit L)(Cooper, Patrick) (Entered: 05/24/2006)
05/26/2006	•101	Brief <i>Defendants' Post-Hearing Reply Brief</i> . (Attachments: # <u>1</u> Exhibit A# <u>2</u> Exhibit B)(Palmer, Timothy) (Entered:

		05/26/2006)
05/26/2006	•102	REPLY to <i>Plaintiffs' Response To Defendant's Post-Hearing Memorandum</i> filed by Debbie Deavers Sturdivant. (Attachments: # <u>1</u> Exhibit 1# <u>2</u> Exhibit 2# <u>3</u> Exhibit 3# <u>4</u> Exhibit 4# <u>5</u> Exhibit 5# <u>6</u> Exhibit 6# <u>7</u> Exhibit 7)(Cooper, Patrick) (Entered: 05/26/2006)
06/02/2006	•103	RESPONSE in Opposition re <u>93</u> MOTION to Amend/Correct <i>PLAINTIFFS' MOTION TO AMEND SCHEDULING ORDER</i> filed by Dillard's, Inc. (Merritt, Veronica) (Entered: 06/02/2006)
06/12/2006	•104	MOTION for Extension of Time <i>Plaintiffs' Motion For Extension Of Time To Respond to Motion To Dismiss For Lack Of Personal Jurisdiction</i> by Debbie Deavers Sturdivant. (Cooper, Patrick) (Entered: 06/12/2006)
06/19/2006	•	ORDER granting <u>104</u> Motion for Extension of Time. Deadline for plaintiffs to respond is extended until June 27, 2006. Signed by Judge T Michael Putnam. (PMA,) (Entered: 06/19/2006)
06/27/2006	•105	RESPONSE in Opposition re <u>84</u> MOTION to Dismiss for Lack of Jurisdiction filed by Debbie Deavers Sturdivant. (Attachments: # <u>1</u> Exhibit 1# <u>2</u> Exhibit 2# <u>3</u> Exhibit 3) (Cooper, Patrick) (Entered: 06/27/2006)
08/15/2006	•106	MOTION for Summary Judgment by J.B. White & Company, Mercantile Kansas City, Inc, McAlpin Company, The, Gayfer's Montgomery Fair Company, Mercantile Stores Company, Inc, Castner-Knott Dry Goods Company, The, J. Bacon & Sons, C.J. Gayfer & Company, Dillard's, Inc. (Bostick, Brian) (Entered: 08/15/2006)
08/15/2006	•107	MOTION for Entry of Briefing Schedule by J.B. White & Company, Mercantile Kansas City, Inc, McAlpin Company, The, Gayfer's Montgomery Fair Company, Mercantile Stores Company, Inc, Castner-Knott Dry Goods Company, The, J. Bacon & Sons, C.J. Gayfer & Company, Dillard's, Inc. (Merritt, Veronica) (Entered: 08/15/2006)
09/22/2006	•108	ORDER denying <u>37</u> Motion to Certify Class . Signed by Judge T Michael Putnam on 9/22/06. (SFH,) (Entered: 09/22/2006)
09/22/2006		(Court only) ***Motions GRANTED: <u>89</u> Motion to Preclude Expert Testimony of Ralph Q. Summerford and Memorandum

		<i>in Support</i> filed by dfts (SFH,) (Entered: 10/03/2006)
09/22/2006		(Court only) ***Motions GRANTED in part and DENIED in part: <u>90</u> MOTION to Strike filed by dfts(SFH,) (Entered: 10/03/2006)
10/30/2006	● <u>109</u>	ORDER Setting Hearing on Motion <u>84</u> MOTION to Dismiss for Lack of Jurisdiction, <u>96</u> Supplemental MOTION for Summary Judgment <i>in Support of Summary Judgment Against Plaintiff Vaughan Thomas</i> , <u>18</u> MOTION for Summary Judgment <i>as to Claims Asserted by Plaintiff Vaughan Thomas and Memorandum of Law in Support</i> : Motion Hearing set for 11/20/2006 06:00 PM in Courtroom 4A, Hugo L Black US Courthouse before US Magistrate Judge T Michael Putnam.. Signed by Judge T Michael Putnam on 10/30/06. (SFH,) (Entered: 10/30/2006)
11/20/2006	●	Minute Entry for proceedings held before Judge T Michael Putnam : Motion Hearing held on 11/20/2006 re <u>18</u> MOTION for Summary Judgment <i>as to Claims Asserted by Plaintiff Vaughan Thomas and Memorandum of Law in Support</i> filed by Dillard's, Inc., <u>96</u> Supplemental MOTION for Summary Judgment <i>in Support of Summary Judgment Against Plaintiff Vaughan Thomas</i> filed by Gayfer's Montgomery Fair Company,, Mercantile Stores Company, Inc., Dillard's, Inc., Castner-Knott Dry Goods Company, The,, J.B. White & Company,, Mercantile Kansas City, Inc., McAlpin Company, The,, J. Bacon & Sons,, C.J. Gayfer & Company,, <u>84</u> MOTION to Dismiss for Lack of Jurisdiction filed by Mercantile Stores Company, Inc., McAlpin Company, The,, J. Bacon & Sons-Court's preliminary remarks-Counsel's arguments-Court to take the matter under advisement. (Court Reporter, Penny Enoch.) (RLD) (Entered: 11/21/2006)
01/22/2007	● <u>110</u>	MEMORANDUM OPINION. Signed by Judge T Michael Putnam on 1/22/07. (SFH,) (Entered: 01/22/2007)
01/22/2007	● <u>111</u>	ORDER denying <u>96</u> Motion for Summary Judgment, denying <u>18</u> Motion for Summary Judgment; The parties have consented by stipulation to the exercise of jurisdiction by the magistrate judge. . Signed by Judge T Michael Putnam on 1/22/07. (SFH,) (Entered: 01/22/2007)
01/25/2007	●	ORDER setting scheduling conference for 10:00 a.m. on Monday, February 5, 2007 in Courtroom 2A. The parties

		should be prepared to discuss a final scheduling order and to further address whether any pending motions may have been rendered moot by the court's orders denying plaintiff's motion for class certification and denying defendant's motion for summary judgment as to the claims of plaintiff Thomas. Signed by Judge T Michael Putnam on 1/25/2007. (PMA,) (Entered: 01/25/2007)
02/05/2007	●	Minute Entry for proceedings held before Judge T Michael Putnam : Scheduling Conference held, in Chambers, on 2/5/2007-Court's preliminary remarks-Counsel's statements-Defendants to file Motions by 02/16/07-Any Response due by the Plaintiffs on 03/16/07-Any Reply Brief by 03/23/07- WRITTEN SCHEDULING ORDER to be entered by the Court. (Court Reporter, None.) (RLD) (Entered: 02/05/2007)
02/06/2007	● <u>112</u>	ORDER finding as moot <u>68</u> Motion to Compel, finding as moot <u>93</u> Motion to Amend/Correct, finding as moot <u>107</u> Motion for briefing schedule. Parties are DIRECTED to inform the court by 2/9/07 whether they intend to pursue claims against any dft other than Dillard's. All other ddls and time limits as set out in this order.. Signed by Judge T Michael Putnam on 2/6/07. (SFH,) (Entered: 02/06/2007)
02/15/2007	● <u>113</u>	STIPULATION of Dismissal <i>JOINT STIPULATION OF DISMISSAL</i> by Debbie Deavers Sturdivant. (Cooper, Patrick) (Entered: 02/15/2007)
02/16/2007	● <u>114</u>	ORDER DISMISSING CASE without prejudice, each party to bear its own costs. The parties have consented to the jurisdiction of the magistrate judge.. Signed by Judge T Michael Putnam on 2/16/07. (SFH,) (Entered: 02/16/2007)
02/16/2007	● <u>115</u>	MOTION for Summary Judgment by Dillard's, Inc. (Attachments: # <u>1</u> Exhibit Declaration of Chris Ducote) (Bostick, Brian) (Entered: 02/16/2007)
02/16/2007	● <u>116</u>	<i>Brief in Support of Motion for Summary Judgment.</i> (Bostick, Brian) (Entered: 02/16/2007)
02/16/2007	● <u>117</u>	MOTION to Sever and to Conduct Separate Trials by Dillard's, Inc. (Bostick, Brian) Modified on 2/20/2007 (KSS,). (Entered: 02/16/2007)
02/16/2007	● <u>118</u>	<i>Brief in Support of Motion to Sever.</i> (Bostick, Brian) (Entered: 02/16/2007)

02/16/2007		(Court only) ***Case Reopened - case closed in error. order dismissed all dfts EXCEPT Dillards (SFH,) (Entered: 02/21/2007)
02/16/2007		(Court only) *** Party Gayfer's Montgomery Fair Company; J. Bacon & Sons; J.B. White & Company; McAlpin Company, The; Mercantile Kansas City, Inc; Mercantile Stores Company, Inc; C.J. Gayfer & Company and Castner-Knott Dry Goods Company, The terminated. (SFH,) (Entered: 02/21/2007)
03/16/2007	●119	Opposition to <i>PLAINTIFFS' OPPOSITION TO MOTION FOR SUMMARY JUDGMENT</i> filed by Debbie Deavers Sturdivant. (Attachments: # <u>1</u> Exhibit 1# <u>2</u> Exhibit 2# <u>3</u> Exhibit 3# <u>4</u> Exhibit 4)(Cooper, Patrick) (Entered: 03/16/2007)
03/19/2007	●120	Opposition to <i>PLAINTIFFS' OPPOSITION TO DILLARD'S MOTION TO SEVER PLAINTIFFS' CLAIMS AND TO CONDUCT SEPARATE TRIALS</i> filed by Debbie Deavers Sturdivant. (Grover, Jessica) (Entered: 03/19/2007)
03/23/2007	●121	REPLY Brief filed by Defendant Dillard's, Inc re: <u>119</u> Opposition (other) <i>Plaintiff's Opposition to Motion for Summary Judgment</i> filed by Dillard's, Inc. (Attachments: # <u>1</u> Exhibit A)(Bostick, Brian) (Entered: 03/23/2007)
03/26/2007	●122	REPLY Brief filed by Defendant Dillard's, Inc re: <u>120</u> Opposition (other) <i>Defendant's Reply Brief in Support of Its Motion to Sever</i> filed by Dillard's, Inc. (Bostick, Brian) (Entered: 03/26/2007)
09/27/2007	●123	MEMORANDUM OPINION. Signed by Judge T Michael Putnam on 9/27/2007. (KSS,) (Entered: 09/27/2007)
09/27/2007	●124	ORDER Granting In Part And Denying In Part <u>115</u> Motion for Summary Judgment, there are no genuine issues of material fact and that dft, is entitled to judgment as a matter of law with respect to all claims asserted in this action by plas Debbie Sturdivant, Lessie Harris, and Artis Smith and all claims of these three plas are DISMISSED WITH PREJUDICE, additionally, there are no genuine issues of material fact and that dft, is entitled to judgment as a matter of law with respect to all claims asserted under Alabama State Law by plas Vaughn Thomas, Hollis Casey, Vanessa Jones, Patricia Mallory, and Sandra Moody, and all state-law claims by these plas are DISMISSED WITH PREJUDICE, the motion for summary judgment is DENIED with respect to the claims of

		racial discrimination asserted by plas Thomas, Casey, Jones, Mallory and Moody under 42 USC 1981. Signed by Judge T Michael Putnam on 9/27/2007. (KSS,) (Entered: 09/27/2007)
09/27/2007	●	(Court only) *** Party Debbie Deavers Sturdivant; Lessie Harris and Artis Smith terminated pursuant to order doc # <u>124</u> (KSS,) (Entered: 09/27/2007)
09/27/2007	● <u>125</u>	ORDER the parties are given until 10/15/2007, to file with the court any briefs or arguments they may wish to assert as to why the court should not sever the claims as set out and transfer the severed claims to the USDC for the Middle District of Alabama. Signed by Judge T Michael Putnam on 9/27/2007. (KSS,) (Entered: 09/27/2007)
10/15/2007	● <u>126</u>	RESPONSE to re <u>125</u> <i>Severance and Venue For Plaintiffs' Remaining Claims</i> filed by Dillard's, Inc. (Attachments: # <u>1</u> Exhibit A)(Merritt, Veronica) (Entered: 10/15/2007)
10/15/2007	● <u>127</u>	RESPONSE to <i>PLAINTIFFS' RESPONSE TO COURT'S SEPTEMBER 27, 2007 ORDER REGARDING SEVERANCE AND TRANSFER OF PLAINTIFFS' CLAIMS</i> filed by Vaughn Thomas, Patricia Mallory, Hollis Casey, Sandra Moody, Vanessa Jones. (Grover, Jessica) (Entered: 10/15/2007)
10/31/2007	● <u>128</u>	ORDER OF SEVERANCE AND TRANSFER for the reasons as set out, it is hereby ORDERED that the claims of plas' Vaughn Thomas, Hollis Casey, Vanessa Jones and Patricia Mallory are SEVERED and TRANSFERRED to the US District Court for the Middle District of Alabama, the claims of Sandra Moody shall remain in this court, the original electronic record and certified copy of docket entries for the Montgomery plaintiffs' will be mailed to Clerk of Court for the Middle District of Alabama 10 business days from this date.. Signed by Judge T Michael Putnam on 10/30/2007. (KSS,) (Entered: 10/31/2007)
10/31/2007	●	(Court only) *** Party Patricia Mallory; Vaughn Thomas; Hollis Casey and Vanessa Jones terminated pursuant to order of severance and transfer. (KSS,) (Entered: 10/31/2007)
10/31/2007	●	(Court only) ***Motion terminated pursuant to order doc # <u>128</u> : <u>117</u> MOTION to Sever filed by Dillard's, Inc. (KSS,) (Entered: 10/31/2007)
11/09/2007	● <u>129</u>	ORDER Pretrial Conference set for 11/15/2005 02:00 PM

		before US Magistrate Judge T Michael Putnam.. Signed by Judge T Michael Putnam on 11/7/2007. (KAM,) (Entered: 11/09/2007)
11/09/2007	•130	Joint MOTION to Continue by Dillard's, Inc. (Bostick, Brian) (Entered: 11/09/2007)